

VZCZCXRO4878  
PP RUEHCHI RUEHDT RUEHHM RUEHNH  
DE RUEHBK #2041/01 2300615  
ZNY CCCCC ZZH  
P 180615Z AUG 09  
FM AMEMBASSY BANGKOK  
TO RUEHC/SECSTATE WASHDC PRIORITY 7932  
INFO RUCNASE/ASEAN MEMBER COLLECTIVE  
RUEHGV/USMISSION GENEVA 2148

C O N F I D E N T I A L SECTION 01 OF 03 BANGKOK 002041

SIPDIS

DEPT FOR PRM/ANE AND PRM/A; EAP/MLS  
GENEVA FOR RMA

E.O. 12958: DECL: 08/09/2019

TAGS: [PREF PHUM SMIG TH LA](#)

SUBJECT: PRM PDAS WITTEN OPENS DOOR ON LAO HMONG IN THAILAND

REF: A. VIENTIANE 0384

[B](#). VIENTIANE 0387

Classified By: DCM James F. Entwistle, reason: 1.4 (b and d).

[1](#)1. (C) Summary. During a busy July 28-August 1 visit to Thailand, PRM PDAS Samuel Witten met with senior Royal Thai Government (RTG) civilian and military officials on the Lao Hmong issue, and toured the two sites in Thailand where a total of almost 5,000 Lao Hmong are being held. Witten pushed for an immediate release of the 158 UNHCR-recognized refugees, held now for two-and-a-half years in a border immigration jail at Nong Khai, pending an agreed mechanism for third country resettlement. In Petchabun, Witten met with local military commanders and spoke directly to Hmong leaders representing the remaining 4,700 residents, rebutting rumors that there is a planned large scale resettlement program to the United State. Witten encouraged greater transparency in the return process underway by allowing the International Organization for Migration (IOM) to play a role, and noted the availability of U.S. funding for such IOM activities. Additional information on the internal RTG screening in Petchabun was provided by RTG interlocutors, although we are seeking more information about the process. The visit complemented earlier advocacy efforts by Witten in Laos on resolving the impasse over the Hmong (Refs.)

[1](#)2. (C) Comment: PDAS Witten's visit, coming shortly after the Secretary's July 21st expression of concern over the Lao Hmong issue to Thai Prime Minister Abhisit Vejjajiva, has clearly moved the RTG away from a feared move to quickly repatriate all of the remaining 4,700 Lao Hmong in Petchabun—a move that under present circumstances could only be done forcibly, and would certainly spark international criticism. The senior level of his interlocutors, and the serious attention paid to his views, suggests an overall easing of the atmosphere in Thailand on what at times has seemed to be an intractable issue. An immediate result of the visit was the first invitation to the U.S. to discuss the Petchabun group in a tripartite meeting with the RTG and GOL on August 7. (Septel) On August 10, the Royal Thai Armed Forces (RTARF) headquarters also requested continued humanitarian assistance for the Petchabun group until April 2010, signaling an abandonment of earlier announced plans to begin forced repatriations. Our goal over the next months will be to encourage improvements in voluntariness of the return process currently underway, while continuing tripartite discussions of the protection needs of those with a legitimate fear of return to Laos. For the UNHCR-recognized refugees in Nong Khai, we will continue press for immediate release from jail. End Summary and Comment.

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UNHCR-recognized Refugees in Nong Khai Jail  
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[1](#)3. (SBU) On July 28th, PDAS Witten toured the Nong Khai

Immigration Detention Center (IDC), along the Thai - Lao border, to observe first hand conditions for the 158 UNHCR-recognized refugees. The internees have been confined since January 2007. The large group, with includes almost 90 children, sleeps in two dark, poorly ventilated cells, separated by gender. For most of the day, however, they are permitted to stay in an outside pavilion with fresh air and partial sunlight, a facility completed with PRM funding in January 2009. A nurse station, staffed by an IOM nurse, and an English class (taught by a PRM-funded trainer) for children was seen at the pavilion. Interaction with the detained Hmong was limited by immigration officers, but Witten did talk to one young man with a severe facial injury who said he was shot in 2003 by a Lao army soldier near his village. The atmosphere seemed calm in the IDC, although the IOM nurse reported later that psychological stress remains a significant problem for the detainees due to crowding and uncertainty regarding their future.

¶4. (C) In a subsequent Bangkok meeting with Thawin Ploensri, the new Secretary General of the National Security Council (the lead policy agency on the Hmong issue), Witten described the prolonged detention as "unacceptable" and advocated for the immediate release of the group pending an agreed upon mechanism for their resettlement in third countries. (Note: the cases have already been referred by UNHCR to the U.S., Australia, Canada and the Netherlands. End note.) Noting that UNHCR recognition of the group made Nong Khai a different issue than Petchabun, Witten warned that forcible return of that group to Laos would be a "major issue" for the United States. Similarly, a RTG policy of indefinite detention will become an increasingly difficult

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challenge for the RTG. Suggesting that the U.S. "has the real key to solving the problem" in its bilateral relationship with the Government of Laos, Tawin responded that the RTG focus at the moment was improving the conditions of detention. The NSC therefore is considering moving the Nong Khai group to a newly constructed IDC at Mukdahan, also along the Thai - Lao border. Tawin averred that allowing third country resettlement would be an implicit criticism of Laos - "we would say that there is political persecution in their country." The NSC chief asserted that "many" of the Nong Khai group would return to Laos voluntarily, but are prevented from doing so by clan leaders who wish to resettle abroad.

¶5. (C) Witten also pressed for release of the Nong Khai detainees with the MFA's Anusorn Chninowana, Director General of the Intentional Organization Division. Anusorn promised to "look into options" for the group, remarking that "Thailand does not want to spoil its humanitarian record" regarding vulnerable groups from neighboring countries. The senior MFA official also promised to discuss the immediate release option with the NSC.

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The Petchabun Detainees  
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¶6. (SBU) During a seven-hour visit to the RTARF-run camp at Petchabun on July 30, PDAS Witten and RefCoord reviewed the operations of the Catholic Organization for Emergency Relief and Refugees (COER), a PRM-funded NGO providing food, water/sanitation, and overseeing medical care for the remaining 4,700 Lao Hmong. COERR took over assistance in the camp after the withdrawal of NGO Doctors without Borders in May. No gaps in assistance during the transition occurred, and many MSF staff were re-hired by the new NGO. After a slow beginning, the Hmong residents have begun the trust the new NGO and visitors to the clinic are now at MSF-era levels. COERR managers, and the RTARF camp commander, separately told Witten that they were satisfied with the arrangement to date and that there was no friction. A brief walking tour through the camp proper was also done, although a armed

military presence made free interaction with the residents difficult. No obvious cases of malnutrition were seen, an impression confirmed by COERR workers, who said the major health concerns were respiratory ailments and the high number of home births. There is an average of one birth a day in the camp, and many mothers refuse to travel to the local government clinic, preferring traditional Hmong mid-wives to assist.

17. (SBU) Witten met with 16 Hmong representatives (including, at his request, six women) at a nearby army conference room in order to dispel rumors (some emanating from U.S.-based relatives and advocacy groups) that the U.S. was planning a large-scale resettlement program similar to that done for 15,000 Lao Hmong at Wat Tham Krabok in 2004-2005. Several Hmong leaders calmly stated in response that they feared return to Laos, and requested that UNHCR be allowed to accept their refugee applications. The Hmong complained that in February 2009 the RTARF had closed a market along the camp fence which provided fresh food, and that people lacked sufficient protein. (Comment: RefCoord confirmed later with COERR that SPHERE standards on caloric intake were being maintained in the camp. End Comment.)

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NSC: "No Objections" to IOM Role  
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18. (C) At the Thai National Security Council, the lead policy agency on the Lao Hmong, Witten pressed for IOM involvement to improve transparency and voluntariness in the return process currently underway. PRM has funding available to support IOM's return and repatriation project, first proposed to the RTG in July 2008. Witten suggested that truly voluntary returns would increase if there was a transparent process with a trusted international organization involved. NSC Secretary General Tawin responded that IOM assistance to the Lao Hmong (up to the Lao border) "is not a big issue" and the RTG was currently discussing modalities. Tawin, who heads the Bangkok-level committee intended to review the 1,423 family case files (comprising some 7,800 people) vetted by camp level teams in January 2008, revealed further details of the process. A comprehensive review of the cases by a second tier, Bangkok-level committee has not been done. Rather, a working group comprised of mid-level officials from the NSC, MFA and RTARF review the files of any Hmong in Petchabun who have indicated a desire to repatriate.

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Tawin stated that if there are any questions on the suitability of a return, further information is requested from the camp. "About eight percent" of the original 7,600 inhabitants of Petchabun were "screened in" (i.e. found to have protection concerns) by the RTG, according to Tawin. To date, only a handful of the screened-in group volunteered to repatriate to Laos.

19. (C) At the Thai MFA, PDAS Witten suggested that the majority of the remaining Petchabun group will likely not qualify for protected status, and proposed improving the voluntary return process to allow more repatriations, gradually whittling down to a small residual group which could then be addressed. Noting that the Lao Hmong in Petchabun were illegal immigrants subject to deportation, Director General Anusorn Chninowana expressed frustration that "we are being nice to them - why are we being blamed for being nice?" Anusorn described the RTG vetting process in Petchabun as "more or less the same" as that for the Burmese refugees in the nine established camps, and promised Witten a copy of the form used by the interview teams. The RTG does not want to make the internal screening process public, fearing the GOL "will raise questions about it." Anusorn closed the hour-plus conversation by asserting that any solution to the Petchabun issue will depend on improving U.S. - Lao relations, and he urged continued negotiations on the Lao Hmong in Vientiane.

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RTARF Issues Invite to Tripartite Meeting  
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¶10. (C) PDAS Witten told RTARF Lt. General Nipat Thonglek, head of the RTG interagency working group overseeing the return process from Petchabun, that any people determined to have protection needs should not be forcibly returned, and that third country resettlement was not the only option. General Nipat responded by describing the current return process, which has seen 15 rounds of repatriations since 2007 under a bilateral MOU with the GOL calls for all returns to be completed by December 30, 2009. (Comment: the original MOU specified December 30, 2008, but according to the GOL "political uncertainty" in Thailand in 2008 caused the delay. End comment.) General Nipat divided the Petchabun group into two camps: economic migrants who do not wish to return to Laos, preferring resettlement abroad, and "the eight percent" who have "personal reasons for not going back." Nipat said the latter group would be discussed for the first time with his GOL counterpart, Brigadier General Bouaxieng Champaphahn, on August 7 in Petchabun, and extended an unusual invitation for U.S. participation in the talks. Witten accepted the invitation, noting it would be the first time all three governments had met in the same room to discuss the issue of Lao Hmong.

¶11. (U) PDAS Witten cleared this cable.

JOHN